

Office of Secretary

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

NOV 15 2004

Re: *New Part 4 of the Commission's Rules Concerning Disruptions to Communications.*  
*Notice of Proposed Rule Making, ET Docket No. 04-35*

**REPLY COMMENTS OF CCS PARTNERS, LLC.**

William M. Harris  
CCS Partners, LLC  
P.O. Box 24861  
Louisville, KY 40224  
Tel. (502) 244-9996

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I have read with great interest the NPRM concerning Communications Disruptions Reporting and comments from various providers. Overall, I agree with the points that are outlined in the NPRM and believe we all have benefited from the outage reports and the work of NRIC.

I would like to briefly expand on one point. The NPRM states that "one benefit of this process has been that public access to outage reports has enabled individual communications providers, as well as manufacturers, to learn directly from each other's outage experiences". Another great benefit is that a review of the outage reports also allows consumers, commercial and individual alike, to make objective procurement decisions regarding telecommunications. I know of no other source of information that objectively reports provider performance in the field. The information should be made available to the consuming public. With the information, consumers are better equipped to select providers and negotiate Service Level Agreements that address their particular circumstances. Several of my customers have utilized the information in the reports to better design the networks they have procured from carriers.

Unfortunately, due to the terrorist attacks of September 11, 2001, this information was taken offline from the FCC website beginning December 18, 2002. In its decision-making, I urge the Commission to place the reports back online in a manner that balances the needs of the consumer and national security. Personally, I do not believe that the public needs to know the specific physical address of a SESS switch in a particular city. However, the public should be able to review reports and determine if there are outages in their area, the affected provider and causality.

I also urge the Commission to expand reporting requirements to wireless and satellite providers. I agree with Commissioner Abernathy that, in general, new regulatory burdens are not beneficial and "a fully functioning market generally makes better decisions than the government". However, part of a fully functioning market is the

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consumer and expanding the reporting requirements to other carriers will allow the consumer to better participate in the market by making better-informed decisions. There are little objective data upon which consumers can currently rely. For individual consumers contemplating a decision of purchasing wireless service, a two-year commitment with expenditures of \$1,200 over the life of the contract is not uncommon. Knowing how the carriers perform, which would be available through the contemplated reporting, will contribute to better decision-making on the part of the consumer. The voluntary reporting trial has not produced this information. Mandatory reporting will.